IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

HANNAH FRANCIS, as Next Friend for	§	
BRIELLE ROWAN, a Minor Child and as	§	
Representative of the Estate of ROBERT	§	
REED ROWAN, and LARRY ROWAN,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	Case No. 2:14-cv-24-JRG-RSP
	§	
SMITH COUNTY, TEXAS,	§	
	§	
Defendant.	§	

ORDER

Pending before the Court is a Report and Recommendation (Dkt. No. 16) which recommends finding Defendant's motion to dismiss be denied. The Court has reviewed the Report and Recommendation (Dkt. No. 16) and finds that it should be **ADOPTED**. Accordingly, Defendant's Motion to Dismiss (Dkt. No. 11) is **DENIED**.

So Ordered this

Mar 29, 2016

RODNEY GILSTRAP

UNITED STATES DISTRICT JUDGE